THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.11254 of 2006

DATED: 08.06.2006

Between:

M.Pratap and another. .. PETITIONERS

Versus

The Government of Andhra Pradesh, represented by its Secretary (Panchayat Raj and Rural Development), A.P. Secretariat, Hyderabad and two others. .. RESPONDENTS

WRIT PETITION NO.11254 of 2006

ORDER:

Heard both the learned counsel.

2. The petitioners filed the present Writ Petition praying for a Writ of Mandamus declaring the impugned proceedings of 1st respondent dated 19.5.2006 and consequential proceedings of the 2nd respondent proceedings No.1641/2005/A2, dated 25.5.2006 as arbitrary and illegal and contrary to due procedure of law and violative of principles of natural justice and pass such other suitable orders.

3. The order dated 19.5.2006 reads as hereunder:

> "The orders issued in proceedings No.1641/2005/A2/A4, dated 12.5.2006 are hereby stayed until further order.
>
> The Hon'ble Minister (PR) desires to hear the petition filed by Smt.S.Ramadevi, Sarpanch, Mucharla Gram Panchayat, Hasanparthy Mandal, Warangal District on 31.05.2006 at 11-00 AM. Inform all concerned to attend the hearing along with all relevant records. Direct the District Panchayat officer to meet the Deputy Secretary (Vig.II) along with a report to brief him of the facts of the case well in advance on the date of hearing".

4. It is stated that the Government while exercising powers under Section 264 of A.P. Panchayat Raj Act, 1994, had granted an interim order and the revision may have to be heard. The main grievance of the petitioners is that when action had been initiated as against 3rd respondent at their instance, without giving opportunity to the petitioners making such an order is bad in law.

5. Be that as it may, inasmuch as the Revision is said to be pending with the Government-1st respondent, the 1st respondent is directed to dispose of the said Revision within a period of four (04) weeks from the date of receipt of a copy of this order and in the meanwhile the petitioners also to be put on notice by the 1st respondent prior to the Revision being taken up for further hearing.

6. With the above direction, the Writ Petition is disposed of. No costs.

08.06.2006

SSR

Issue order copy by Monday.

(BO)